

AMENDED IN SENATE JULY 19, 2004
AMENDED IN SENATE JUNE 16, 2004
AMENDED IN SENATE JULY 2, 2003
AMENDED IN SENATE JUNE 16, 2003
AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY MAY 6, 2003
AMENDED IN ASSEMBLY APRIL 8, 2003
AMENDED IN ASSEMBLY MARCH 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 816

Introduced by Assembly Member Reyes

February 20, 2003

An act to amend Sections 64000 and 64001 of the Education Code, relating to categorical education programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 816, as amended, Reyes. Consolidated application for categorical programs.

Existing law establishes a consolidated application process for funds provided under specified state and federal categorical programs and requires the Superintendent of Public Instruction to establish the content, process, and frequency for conducting reviews of district achievement related to those categorical programs. ~~Existing law requires that school districts ensure that each school in a district~~

~~operating those categorical programs consolidate any plans that are required by those programs into a single plan, to be known as the Single Plan for Pupil Achievement. Existing law requires that this plan be aligned with school goals for improving pupil achievement, and prescribes related matters.~~

~~This bill would expand the list of categorical programs covered by those provisions to include, at the discretion of the Superintendent and with the approval of the state board, other state and federal categorical programs that provide for the state monitoring of compliance with program requirements. The bill would also require the Superintendent to conduct a review of a categorical program covered by those provisions, and to determine whether the program is in compliance with state and federal law. The bill would require the Superintendent, if appropriate, to assist a school district to develop and complete a corrective action plan other federal and state funded programs, as deemed necessary by the superintendent, that require state monitoring for compliance with program requirements. The bill would state the intent of the Legislature that the superintendent begin replacing the coordinated compliance review of categorical programs with a data-driven, results-based monitoring process, as specified, and would authorize the superintendent to conduct a pilot program of the monitoring process during the 2004–05 fiscal year.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes no.~~

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) *It is the intent of the Legislature that the*
- 2 *Superintendent of Public Instruction begin replacing the*
- 3 *coordinated compliance review of categorical programs with a*
- 4 *data-driven, results-based monitoring process. The monitoring*
- 5 *process should place priority on statutory requirements essential*
- 6 *to the effectiveness of categorical programs in enhancing pupil*
- 7 *achievement.*
- 8 (b) *It is also the intent of the Legislature that, in implementing*
- 9 *the monitoring process, the superintendent utilize data collected*
- 10 *electronically in order to reduce the need to make onsite visits at*
- 11 *school districts.*



1 (c) *The Legislature encourages ongoing involvement of*
2 *stakeholder groups in the development and implementation of the*
3 *monitoring process.*

4 (d) *If the monitoring process is developed, the superintendent*
5 *may conduct a pilot program of the monitoring process during the*
6 *2004–05 fiscal year for state categorical programs covered by*
7 *Part 36 (commencing with Section 64000) of the Education Code,*
8 *and for federal categorical programs to the extent permitted by*
9 *federal regulation.*

10 (e) *It is the intent of the Legislature that the superintendent*
11 *evaluate the monitoring process once it is implemented, and make*
12 *reports to the Legislature as it may request.*

13 SEC. 2. Section 64000 of the Education Code is amended to
14 read:

15 64000. (a) This part applies to applications for funds under
16 the following categorical programs:

17 (1) School library programs established pursuant to Chapter 2
18 (commencing with Section 18100) of Part 11.

19 (2) Staff development centers and programs established
20 pursuant to Chapter 3.1 (commencing with Section 44670) of Part
21 25.

22 (3) School improvement programs established pursuant to
23 Chapter 6 (commencing with Section 52000) of Part 28.

24 (4) Bilingual education programs pursuant to Article 3
25 (commencing with Section 52160) of Chapter 7 of Part 28.

26 (5) School-based coordinated categorical programs
27 established pursuant to Chapter 12 (commencing with Section
28 52800) of Part 28.

29 (6) Economic Impact Aid programs established pursuant to
30 Chapter 1 (commencing with Section 54000) of Part 29.

31 (7) The Miller-Unruh Basic Reading Act of 1965 pursuant to
32 Chapter 2 (commencing with Section 54100) of Part 29.

33 (8) Compensatory education programs established pursuant to
34 Chapter 4 (commencing with Section 54400) of Part 29, except for
35 programs for migrant children pursuant to Article 3 (commencing
36 with Section 54440) of Chapter 4 of Part 29.

37 (9) Programs providing assistance to disadvantaged pupils
38 under Section 6312 of Title 20 of the United States Code, and
39 programs providing assistance for neglected or delinquent pupils

1 who are at risk of dropping out of school, as funded by Section
2 6421 of Title 20 of the United States Code.

3 (10) Capital expense funding, as provided by Title I of the
4 Improving America's Schools Act of 1994 (20 U.S.C. Sec. 1001
5 et seq.).

6 (11) Tenth grade counseling programs established pursuant to
7 Section 48431.6.

8 (12) California Peer Assistance and Review Programs for
9 Teachers established pursuant to Article 4.5 (commencing with
10 Section 44500) of Chapter 3 of Part 25.

11 (13) Professional development programs established pursuant
12 to Section 6601 of Title 20 of the United States Code.

13 (14) Innovative Program Strategies Programs established
14 pursuant to Section 7303 of Title 20 of the United States Code.

15 (15) Programs established under the federal Class Size
16 Reduction Initiative (P.L. 106-554).

17 (16) Programs for tobacco use prevention funded by Section
18 7115 of Title 20 of the United States Code.

19 (17) School safety and violence prevention programs,
20 established pursuant to Article 3.6 (commencing with Section
21 32228) of Chapter 2 of Part 19.

22 (18) Safe and Drug Free Schools and Communities programs
23 established pursuant to Section 7113 of Title 20 of the United
24 States Code.

25 ~~(19) At the discretion of the Superintendent and with the~~
26 ~~approval of the State Board of Education, this part shall also apply~~
27 ~~to other state and federal categorical programs that provide for~~
28 ~~state monitoring of compliance with program requirements.~~

29 *(19) Other federal and state funded programs, as deemed*
30 *necessary by the Superintendent of Public Instruction, that require*
31 *state monitoring for compliance with program requirements,*
32 *including programs funded through a block grant.*

33 (b) Each school district that elects to apply for any of these state
34 funds shall submit to the department, for approval by the State
35 Board of Education, a single consolidated application for approval
36 or continuance of those state categorical programs subject to this
37 part.

38 (c) Each school district that elects to apply for any of these
39 federal funds may submit to the department for approval, by the
40 State Board of Education, a single consolidated application for

1 approval or continuance of those federal categorical programs
2 subject to this part.

3 ~~SEC. 2.—~~

4 SEC. 3. Section 64001 of the Education Code is amended to
5 read:

6 64001. (a) Notwithstanding any other law, a school district is
7 not required to submit to the department, as part of the
8 consolidated application, school plans for categorical programs
9 subject to this part. School districts shall assure, in the
10 consolidated application, that the Single Plan for Pupil
11 Achievement established pursuant to subdivision (f) has been
12 prepared in accordance with law, that schoolsite councils have
13 developed and approved a plan, to be known as the Single Plan for
14 Pupil Achievement for schools participating in programs funded
15 through the consolidated application process, and any other school
16 program they choose to include, and that school plans were
17 developed with the review, certification, and advice of any
18 applicable school advisory committees. The Single Plan for Pupil
19 Achievement may also be referred to as the Single Plan for Student
20 Achievement. The consolidated application shall also include
21 certifications by appropriate district advisory committees that the
22 application was developed with review and advice of those
23 committees.

24 (b) For any consolidated application that does not include the
25 necessary certifications or assurances, the department shall initiate
26 an investigation to determine whether the consolidated application
27 and Single Plan for Pupil Achievement were developed in
28 accordance with law and with the involvement of applicable
29 advisory committees and schoolsite councils.

30 (c) ~~(4) Onsite school and district compliance reviews of~~
31 ~~categorical programs shall continue, and school plans shall be~~
32 ~~required and reviewed as part of these onsite visits and compliance~~
33 ~~reviews. The Superintendent of Public Instruction shall establish~~
34 ~~the process and frequency for conducting reviews of district~~
35 ~~achievement and compliance with state and federal categorical~~
36 ~~program requirements. The Superintendent shall establish the~~
37 ~~content of these~~ *The superintendent shall establish the content of*
38 *program review* instruments, including any criteria for
39 differentiating these reviews based on the achievement of pupils,
40 as demonstrated by the Academic Performance Index developed

1 pursuant to Section 52052, ~~available data pertaining to the~~
2 ~~effectiveness of categorical programs~~ 52052, *other pupil data*, and
3 evidence of district compliance with state and federal law. The
4 State Board of Education shall review the content of these *program*
5 *review* instruments for consistency with state board policy.

6 ~~(2) The Superintendent shall conduct a review of each~~
7 ~~categorical program, based upon an analysis of available data~~
8 ~~including pupil achievement data and test results. The~~
9 ~~Superintendent shall determine whether a program is in~~
10 ~~compliance with state and federal law. The Superintendent shall~~
11 ~~identify corrective action to be taken, if appropriate, and assist a~~
12 ~~school district to develop and complete a corrective action plan.~~

13 (d) A school district shall submit school plans whenever the
14 department requires the plans in order to effectively administer
15 any categorical program subject to this part. The department may
16 require submission of the school plan for any school that is the
17 specific subject of a complaint involving any categorical program
18 or service subject to this part.

19 (e) The department may require a school district to submit
20 other data or information as may be necessary for the department
21 to effectively administer any categorical program subject to this
22 part.

23 (f) Notwithstanding any other law, as a condition of receiving
24 state funding for a categorical program pursuant to Section 64000,
25 school districts shall ensure that each school in a district that
26 operates any categorical programs subject to this part consolidates
27 any plans that are required by those programs into a single plan.
28 Schools may consolidate any plans that are required by federal
29 programs subject to this part into this plan, unless otherwise
30 prohibited by federal law. That plan shall be known as the Single
31 Plan for Pupil Achievement or may be referred to as the Single
32 Plan for Student Achievement.

33 (g) Plans developed pursuant to subdivision (d) of Section
34 52054, and Section 6314 and following of Title 20 of the United
35 States Code, satisfy the requirement of subdivision (f).

36 (h) Notwithstanding any other law, the content of a Single Plan
37 for Pupil Achievement shall be aligned with school goals for
38 improving pupil achievement. School goals shall be based upon an
39 analysis of verifiable state data, including the Academic
40 Performance Index developed pursuant to Section 52052 and the

1 English language development test developed pursuant to Section
2 60810, and may include any data voluntarily developed by
3 districts to measure pupil achievement. The Single Plan for Pupil
4 Achievement shall, at a minimum, address how funds provided to
5 the school through any of the sources identified in Section 64000
6 will be used to improve the academic performance of all pupils to
7 the level of the performance goals, as established by the Academic
8 Performance Index developed pursuant to Section 52052. The
9 plan shall also identify the schools' means of evaluating progress
10 toward accomplishing those goals and the manner in which state
11 and federal law governing these programs will be implemented.

12 (i) The plan required by this section shall be reviewed annually
13 and updated, including proposed expenditure of funds allocated to
14 the school through the consolidated application, by the schoolsite
15 council, or, if the school does not have a schoolsite council, by
16 schoolwide advisory groups or school support groups that
17 conform to the requirements of Section 52012. The plans shall be
18 reviewed and approved by the governing board of the local
19 education agency at a regularly scheduled meeting whenever there
20 are material changes that affect the academic programs for pupils
21 covered by programs identified in Section 64000.

22 (j) The school plan and subsequent revisions shall be reviewed
23 and approved by the governing board of the school district. School
24 district governing boards shall certify that, to the extent allowable
25 under federal law, plans developed for purposes of this section are
26 consistent with district local improvement plans that are required
27 as a condition of receiving federal funding.

28 (k) This section does not prohibit a school district, at its
29 discretion, from conducting an independent review pursuant to
30 subdivision (c) of Section 64001 as that section read on January 1,
31 2001.

